

BILL # SB 1065

TITLE: theft; means of transportation; jail

SPONSOR: Gray

STATUS: As Introduced

PREPARED BY: Jon McAvoy

FISCAL ANALYSIS

Description

SB 1065 requires first time offenders who have been convicted of stealing a means of transportation and have been sentenced to probation to serve at least one year in a county jail as a condition of probation. This bill does not apply to offenders sentenced to serve at the Department of Corrections.

Estimated Impact

This bill would reduce the cost of the state's statutory probation caseload formula by approximately \$60,000 to \$480,000. The state may not be able to achieve all of the savings from the reduced formula cost. The savings would represent only a portion of a full-time probation officer, especially in the smaller counties. Any savings would not apply to Maricopa County, as this county funds the entire cost of their probation program.

In addition, the bill would increase total county jail costs for all counties, including Maricopa County, by \$4.4 million to \$5.7 million as a result of inmates spending additional time in county jails.

The Administrative Office of the Courts (AOC) does not have a specific estimate for this bill.

Analysis

This bill will result in a decrease of 80 to 106 probationers in non-Maricopa counties. This estimate is derived from Maricopa County data and adjusted for population differences (see Local Government impact section).

The state and counties, not including Maricopa County, typically share the costs of adult probation, which includes standard and intensive programs. For the intensive programs, the state pays 100% of the cost (although the counties may provide offices and other support services), while for the standard programs and treatment services, the state predominantly pays for the cost of additional probation officers. Adult Probation Services funding is based on statutory probation officer to probationer caseload ratios of 1 to 60 for adult standard probation and 2 to 25 for adult intensive probation. Since this bill is expected to decrease probation caseloads, fewer adult probation officers will be needed.

The bill would increase the number of inmates serving in county jails, while decreasing the number of county probationers. Assuming that 30% to 40% of offenders convicted of auto theft are first time offenders, as estimated by the Administrative Office of the Courts, and that Maricopa is representative of all other counties, the bill would generate savings for the state of approximately \$60,000 to \$480,000. The low estimate assumes that all auto theft offenders are on adult standard probation, while the high estimate assumes all the offenders are on adult intensive probation.

Pursuant to A.R.S. §12-269, Maricopa County does not receive direct state funding for probation since it retains its own probation surcharge revenue to fund probation caseloads. As a result, the state will not realize cost savings for Maricopa County.

Local Government Impact

The bill would increase the jail time of an estimated 207 to 275 offenders from approximately 2 months and 1 week to 12 months. According to the Maricopa County Budget Office and the Arizona Association of Counties, the average cost per month of housing an inmate in jail is \$2,230 for Maricopa County and \$2,010 for all other counties. By increasing the jail time of these defendants to one year, it is estimated that the bill will increase the jail costs by \$4.4 million to \$5.7 million.